

STANDING CHAPTER 13 TRUSTEE ALJUANRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

CARLOS RUBEN RUIZ ORTIZ

Case No. 19-04967-BKT

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO*

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prose <input type="checkbox"/> Appearing:	Date & Time: 10/2/2019 11:04:00AM <input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: 0.00 <input checked="" type="checkbox"/> This is debtor(s) 3 Bankruptcy filing. Creditors: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <u>AELA - by Rosario Vidal Arbona , Esq</u> <u>First Bank by Ms. Norma Melchor</u> </div>
II. Oath Administered <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
III. Plan Date: 08/30/2019 Base: \$16,200.00 Payments 1 made out of 1 due. Confirmation Hearing Date: 11/1/2019 2:30:00PM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) <div style="margin-top: 10px;"> $\\$4,000.00 - \\$132.00 = \\$3,868.00$ </div>	
IV. Status of Meeting <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input type="checkbox"/> Continued Continued Date: Comments:	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

- ☐ Feasibility
- ☐ Insufficiently funded
- ☐ Unfair discrimination
- ☐ Fails disposable income
- ☐ Fails liquidation value test
- ☐ Insuarence quote

- ☐ No provision for secured creditor(s)
- ☐ Tax returns missing
 - ☐ State - years
 - ☐ Federal - years

Pending/Items/ Documents:

- ☐ DSO Recipient's Information
- ☐ Evidence of being current with DSO
- ☐ Evidence of income

- ☐ Monthly reports for the months
- ☐ Public Liability Insurance
 - ☐ Premises
 - ☐ Vehicle(s):
 - ☐ Licenses issued by:

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Trustee's objection to confirmation

- ☐ Objection to Confirmation
☐ Oral objection by creditor

1. FAILS DISPOSABLE INCOME TEST, §1325(b)(1)(B):

- a. Debtor is asked to provide maturity date of World Financial water filter contract.
- b. Plan does not comply with unsecured pool of \$11,382.60 since only distribute \$8,661.11 to non-priority unsecured creditors.
- c. Per pay-stubs submitted by the debtor it seems that on January 2019 he received \$10,287.56 as an additional income described as "Ajuste Salarios".
- d. Amend schedule B to disclose cause of action against PR Government. He avers that the same is stayed by PROMESA

2. DOMESTIC SUPPORT OBLIGATION, (Post-petition §1325(a)(8)):

--Debtor has 1 DSO account(s): \$440.00 monthly. Per Bankruptcy Code, as of the confirmation hearing date, he must file evidence with the court of being current in the DSO payments that became due post-petition.

--DSO recipient Ivette De Leon Corra (2 minors aged 18 and 23) 440.00

Note: Pay-stub deduction of \$440.00 described as "Penali" is the DSO deduction.

3. OTHER:

- a. Schedule A/B does not disclose clothes.
- b. Trustee objects pro-rata treatment to unsecured creditors since there is an unsecured pool of \$11,382.60 that needs to be disclosed in the part that reads "The Sum of \$_____".
- c. Insurance for vehicle is due Nov 27 2019. FB avers that it appears that vehicle is insured until November. Schedule J does not disclose amount to be dedicated.
- d. Debtor avers that payment was sent this week peniding to receive.

The following party(ies) object(s) confirmation:

s/Pedro R Medina

Trustee/Presiding Officer

Date: 10/02/2019

(Rev. 05/13)